

PATENT
Atty. Dkt. No. APPM/007729/TCG/EPI/AG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Singh et al.

Serial No.: 10/688,797

Confirmation No.: 9712

Filed: October 17, 2003

For: Silicon-Containing Layer
Deposition with Silicon
Compounds

Group Art Unit: 1722

Examiner: Kunemund, Robert M.

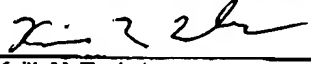
FAX RECEIVED

NOV 03 2006

OFFICE OF PETITIONS

MAIL STOP 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8	
I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-0025, attention Mail Stop 313(c), on the date below.	
November 3, 2006 Date	 Keith M. Tackett

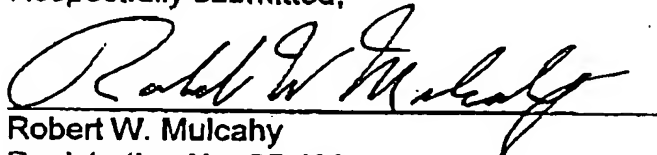
PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c)

Applicant hereby requests the above identified application be withdrawn from issuance after payment of the issue fee because a RCE (copy attached) has been filed for the application to submit an Information Disclosure Statement. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 50-1074/007729/EPI/AG \$130.00 for the fee set forth in § 1.17(h) for filing this petition. Applicant respectfully requests withdrawal of the application from issuance.

11/09/2006 CKHLOK 00000003 10688797

01 FC:1464 130.00 DA

Respectfully submitted,

Robert W. Mulcahy
Registration No. 25,436
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant

Page 1

007729 Petition to Withdraw from Issuance.DOC

**PATTERSON &
SHERIDAN, LLP**
ATTORNEYS AT LAW

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

FACSIMILE COVER SHEET**FAX RECEIVED**

NOV 03 2006

OFFICE OF PETITIONS

DATE: November 3, 2006
FILE NO: APPM/007729/TCG/EPI/AG
TO: Mail Stop 313(c); Commissioner for Patents
Examiner Robert M. Kunemund
FAX NO: 571-273-0025
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 10
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c)

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.
EXAMINER: Robert M. Kunemund
GROUP ART UNIT: 1722
CONFIRMATION NO.: 9712

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

516822_1

PTO/SB/30 (07-05)

FAX RECEIVED

Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

NOV 03 2006

OFFICE OF PETITIONS

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/688,797
Filing Date	October 17, 2003
First Named Inventor	Singh et al.
Art Unit	1722
Examiner Name	Kunemund, Robert M.
Attorney Docket Number	APPM007729/TCG/EPVAG

COPY

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

b. ☒ Enclosed

- i. ☐ Amendment/Reply
ii. ☒ Information Disclosure Statement (IDS)
iii. ☐ Affidavit(s)/Declaration(s)
iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(f) required)
b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1074/007729/TCG/EPVAG. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
ii. ☐ Extension of time fee (37 C.F.R. 1.138 and 1.17)
iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

COPY

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Robert W. Mulcahy</i>	Date	November 3, 2006
Name (Print/Type)	Robert W. Mulcahy	Registration No.	25,436

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Keith M. Tackett</i>	Date	November 3, 2006
Name (Print/Type)	Keith M. Tackett		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Singh et al.

Serial No.: 10/688,797

Confirmation No.: 9712

Filed: October 17, 2003

**For: Silicon-Containing Layer
Deposition with Silicon
Compounds**

Group Art Unit: 1722

Examiner: Kunemund, Robert M.

FAX RECEIVED

NOV 03 2006

OFFICE OF PETITIONS

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300, attention Mail Stop 313(c), on the date below.

November 3, 2006
Date

Keith M. Tackett

INFORMATION DISCLOSURE STATEMENT

The Applicants, and the Attorney who signs below on the basis of the information supplied by the inventor and the information in his file, submit herewith patents, publications, or other information of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While the information submitted in this Information Disclosure Statement may be material pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is prior art for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possibly material information as defined under 37 CFR § 1.56(a) exists.

COPY

The patents and/or publications submitted herewith are set forth on the attached Form PTO-1449.

If the sum of \$180.00 is due under 37 CFR § 1.17(p) pursuant to § 1.97, the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely, to the Deposit Account No. 20-0782/APPM/007729/KMT.

Respectfully submitted,



Keith M. Tackett
Registration No. 32,008
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant

NOV 03 2006

007/010

OFFICE OF PETITIONS

PTO/SB/08A (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Complete If Known

Application Number	10/688,797
Filing Date	October 17, 2003
First Named Inventor	Singh et al.
Art Unit	1722
Examiner Name	Kunemund, Robert M.
Attorney Docket Number	APPM/007729/TCG/EPI/AG

COPY

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

OTHER INFORMATION

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	<p>Applied Materials has been notified by Dow Corning that it asserts one or more unnamed employees of Dow Corning contributed to the subject matter claimed in Applicant's pending application. Dow Corning has not identified the names of the individual(s) that it asserts may have contributed to the invention.</p> <p>Applied Materials does not believe Dow Corning's assertion regarding its employees' sole or joint inventorship has merit, and believes in good faith that Kaushal K Singh, Paul B. Comita, Lance A. Scudder, and David K. Carlson are the true and first inventors of all of the claimed subject matter in their pending patent application.</p> <p>Applied Materials is bringing this information to the Examiner's attention to satisfy its duty under the Rules, and further to request that the Examiner consider whether, in his judgment, a more comprehensive interference search for any pending application by Dow Corning should be conducted prior to issuing the currently-pending and previously-allowed claims. There is no additional attachment to this form.</p>	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

516699_1

**PATTERSON &
SHERIDAN, LLP**
ATTORNEYS AT LAW

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

FACSIMILE COVER SHEET**COPY**

DATE: November 3, 2006
FILE NO: APPM/007729/TCG/EPI/AG
TO: Mail Stop RCE, Commissioner for Patents
Examiner Robert M. Kunemund
FAX NO: 571.273.8300
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 6
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

FAX RECEIVED

NOV 03 2006

OFFICE OF PETITIONS

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL; INFORMATION
DISCLOSURE STATEMENT AND PTO FORM 1449 SB/08A**

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.
EXAMINER: Robert M. Kunemund
GROUP ART UNIT: 1722
CONFIRMATION NO.: 9712

* PLEASE NOTE THAT WE ARE FILING A PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c). *

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

443399_1

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3886
RECIPIENT ADDRESS 15712738300
DESTINATION ID
ST. TIME 11/03 16:38
TIME USE 02'39
PAGES SENT 6
RESULT OK

COPY
FAX RECEIVED
NOV 03 2006
OFFICE OF PETITIONS

**PATTERSON &
SHERIDAN, LLP**
ATTORNEYS AT LAW

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

FACSIMILE COVER SHEET

DATE: November 3, 2006
FILE NO: APPM/007729/TCG/EPI/AG
TO: Mail Stop RCE, Commissioner for Patents
Examiner Robert M. Kunemund
FAX NO: 571.273.8300
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 6
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL; INFORMATION DISCLOSURE STATEMENT AND PTO FORM 1449 SB/08A

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.

:Auto-reply fax to 7136234846 COMPANY:

Auto-Reply Facsimile Transmission **COPY**

TO:

Fax Sender at 7136234846

Fax Information

Date Received:

11/3/2006 5:38:44 PM [Eastern Standard Time]

Total Pages:

6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

11/03/2006 16:58 FAX 7136234846

001/006

PATTERSON &
SHERIDAN, LLP
ATTORNEYS AT LAW

3640 Post Oak Blvd., Suite 1501
Houston, TX 77056-6367
TEL 713.623.4844
FAX 713.623.4846

FACSIMILE COVER SHEET

DATE: November 3, 2006
FILE NO: APPM007729/TCG/EPI/AG
TO: Mail Stop RCE, Commissioner for Patents
Examiner Robert M. Kunemund
FAX NO: 571.273.6300
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 6
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL; INFORMATION DISCLOSURE STATEMENT AND PTO FORM 1449 SB/08A

TITLE: Silicon-Containing Layer Deposition with Silicon Compounds
U.S. SERIAL NO.: 10/688,797
FILING DATE: October 17, 2003
INVENTOR: Singh et al.
EXAMINER: Robert M. Kunemund
GROUP ART UNIT: 1722
CONFIRMATION NO.: 9712

* PLEASE NOTE THAT WE ARE FILING A PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.312(a). *

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, LLP, which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this facsimile transmission is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

443209_1

PAGE 10 - RCVD AT 11/03/2006 16:58 FAX 7136234846